

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

2  
3 In the Matter of )

4 ) **MUR 6236**

5 MN-06 Congressional Victory Committee )  
6 and Christopher Ward, in his official capacity as treasurer )

7  
8 **GENERAL COUNSEL'S REPORT #2**

9  
10 **I. ACTIONS RECOMMENDED**

11  
12 Take no further action and close the file.

13 **II. INTRODUCTION**

14 This matter arose as a referral from the Reports Analysis Division to the Office of  
15 the General Counsel based on information indicating that MN-06 Congressional Victory  
16 Committee ("MN-06 CVC") and Christopher Ward, in his official capacity as treasurer  
17 (collectively, "Respondents"), may have made excessive contributions to Bachmann for  
18 Congress in violation of 2 U.S.C. § 441a(a). On December 1, 2009, the Commission  
19 found reason to believe that Respondents violated 2 U.S.C. § 434(b),  
20  
21

22 **III.**

23 For the reasons set forth below, we recommend that the Commission take no  
24 further action and close the file in this matter.

**CELA**

**2010 MAY 13 AM 10:36**

**RECEIVED  
FEDERAL ELECTION  
COMMISSION**

<sup>1</sup> The First General Counsel's Report recommended that the Commission find reason to believe that Respondents violated 2 U.S.C. §§ 441a(a), 434(b), 433(c), and 432(e) in connection with contributions received from joint fundraising committees that MN-06 CVC subsequently transferred to Bachmann for Congress. See RR 08L-24 First General Counsel's Report at 5-14. On December 1, 2009, the Commission found reason to believe that Respondents violated 2 U.S.C. § 434(b) only by failing to itemize contributions that it had received from one of the joint fundraising committees. See Commission Certification dated December 1, 2009.

10044274321

**2**

10044274322

13 In addition , the  
14 committee appears to be defunct. In its last report to the Commission, its 2007 Year End  
15 Report submitted on February 1, 2008, MN-06 CVC disclosed that it had no receipts or  
16 cash on hand.

<sup>2</sup> Because Ward's apparent violations as treasurer of MN-06 CVC were not knowing and willful, he is not personally liable for the apparent violations that are the subject of the Commission's reason to believe findings in this matter. See Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings, 70 Fed. Reg. 3 (January 3, 2005).

**3 Ward's purported February 15, 2008, resignation letter also indicates that a courtesy copy was sent to the Commission. Ward claims that he resigned from all of committees that he served as treasurer through resignation letters that were also sent to the Commission. According to Ward, he sent copies of the resignation letters to the Commission in separate envelopes in early 2008 when allegations arose that he had embezzled from several committees. We checked the Commission's database and also conferred with the Reports Analysis Division but found no record of Ward's resignation from MN-06 CVC or from any other committee.**

For these reasons,  
further efforts to pursue the possible violation in this matter would not be a  
prudent use of the Commission's resources. Accordingly, we recommend that the  
Commission take no further action and close the file.

**IV. RECOMMENDATIONS**

1. Take no further action as to MN-06 Congressional Victory Committee and Christopher Ward, in his official capacity as treasurer.
2. Approve the appropriate letter.
3. Close the file.


Thomasenia P. Duncan  
General Counsel

Date: 5/13/10

BY:

  
Ann Marie Terzaken  
Associate General Counsel for  
Enforcement

  
Mark Allen  
Assistant General Counsel

  
Michael A. Columbo  
Attorney

**Attachment:**

Letter from Christopher Ward to Bachmann for Congress dated February 15,  
2008.